

RULES AND PROCEDURES PLANNING AND ZONING COMMISSION

Rule 1.1 Regular Meetings. Regular meetings of the Planning and Zoning Commission will be held on the third Tuesday of each month, beginning at 6:30 p.m. Public notice of all regular meetings of the Planning and Zoning Commission shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

Rule 1.2 Special Meetings. Special meetings of the Planning and Zoning Commission may be held on such dates and at such times as called by the Chairman or, in his/her absence, the Vice Chairman. Public notice of all special meetings of the Planning and Zoning Commission shall be given as required by the Texas Open Meetings Act, Section 551.001 *et seq.* of the Government Code.

Rule 1.3 Work Sessions. Planning and Zoning Commission work sessions will generally be held on the first Tuesday of each month and will generally commence at 6:30 p.m. Such work sessions may coincide with such regular meetings of the Planning and Zoning Commission. Planning and Zoning Commission work sessions may be held at such other times as may be necessary or beneficial. Public notice of all Planning and Zoning Commission work sessions shall be given as required by the Texas Open Meetings Acts, Section 551.001, *et seq.* of the Government Code.

Rule 1.4 Retreats, Seminars. The Planning and Zoning Commission will generally hold two retreats or seminars annually in lieu of the Planning and Zoning commission regular meeting or work session. Public notice of all Planning and Zoning Commission retreats shall be given as required by the Texas Open Meetings Act, Section 551.001, *et seq.* of the Government Code. A guideline for suggested attendance at planning or zoning seminars or conferences, or other recommended training sessions is attached hereto as Exhibit A.

Rule 1.5 Joint Meetings. The Planning and Zoning Commission may hold joint meetings with the City Council or other boards, commissions or task forces in addition to their other meetings. Public notice of all joint meetings shall be given as required by the Texas Open Meetings Act, Section 551.001, *et seq.* of the Government Code.

Rule 1.6 Location of Meetings and Work Sessions. All regular meetings, special meetings, joint meetings and work sessions of the Planning and Zoning Commission shall be held at the Cedar Park Public Library or the Cedar Park City Hall unless the Chairman (a) determines that an irresolvable scheduling conflict exists in the use of the Cedar Park Public Library or the Cedar Park City Hall and (b) promptly notifies the Planning and Zoning Commission.

Rule 1.7 Delivery of Minutes to City Secretary. The Planning and Zoning Commission shall promptly deliver to the City Secretary all minutes of regular meetings, special meetings, joint meetings, work sessions, and retreats upon approval thereof.

Rule 1.8 Commission Reports. The Chairperson of Planning and Zoning Commission or his/her designee shall report to the City Council on the activities of the Planning and Zoning Commission at such time as may be directed by the City Council.

Rule 1.9 Policy Directives. The City Council is ultimately responsible for the establishment of City's policies. The Planning and Zoning Commission is cognizant of the City Council's primary responsibility to establish, approve, disapprove, or modify the City's policies. The Commission shall ensure that any policy directive initiated by the Board is reported to and approved by the City Council before issuance of any such policy directive.

Rule 1.10 Rules and Procedure. Upon an affirmative vote, these Rules and Procedures, and any amendments thereto, shall be forwarded to the City Council for their review and approval. Upon the City Council's approval, the Rules and Procedures, or any amendments thereto, shall become effective.

Rule 1.11 Attendance. A position on the Planning and Zoning Commission shall become vacant if a Member fails to attend either: a) three (3) consecutive; or b) more than fifty percent (50%) of all Planning and Zoning Commission meetings during any twelve (12) month period from appointment or reappointment without being excused by the Commission. Absence from any Commission meeting shall be excused only for reasons of personal illness or immediate family emergencies. Attendance shall be taken and noted by the Chairman at the beginning of all meetings with notations as to whether a Member's absence is excused or not. No absence shall be considered by the Board to be excused unless, prior to the meeting, the Member contacts either the Planning Department staff or the Chairman and indicates such request and the reason for such request.

Chapter 2: Agenda

Rule 2.1 Preparation of the Agenda. The Chairman or, in his/her absence, the Vice Chairman is responsible for preparing or ensuring the preparation of the Agenda for each meetings, work session, retreat, or seminar.

Rule 2.2 Agenda Categories for Board Meetings: For each Planning and Zoning Commission meeting, the Agenda may contain any of the following categories:

- a. Call to Order;
- b. Role Call;
- c. Approval of Minutes;
- d. Citizen Communication;
- e. Commissioners' Opening Comments;

- f. Discussion and Possible Action on Policy and Procedures;
- g. Discussion and Possible Action on Personnel;
- h. Consent Agenda;
- i. Public Hearing and Zoning Recommendations;
- j. Subdivisions;
- k. Discussion and Staff Presentations;
- l. General Training
- m. Executive Session;
- n. Possible action on Executive Session matters;
- o. Commissioners' and Staff Closing Comments; and
- p. Adjournment.

The categories listed above are demonstrative and are not meant or intended to be exclusive.

Rule 2.3 Consent Agenda. Any item on the Consent Agenda shall be removed at the request of a single Member. A request for removal from the Consent Agenda may be made (a) in writing directed to the Chair and distributed to the Sign Control Board; or (b) verbally during Members' Opening Comments. Any item removed from the Consent Agenda shall be considered as a separate action item at the meeting on which such item appears on the Consent Agenda.

Rule 2.4. Placement of Agenda Items by Commissioners. Any Planning and Zoning Commissioner may request the placement of any item on the Agenda. Any Agenda item so requested shall bear the requesting members name on each occasion at which the item appears on the Agenda. A Commissioner may request the placement of any item on the Agenda (a) during Commissioner's Opening Comments or Commissioners and Staff Closing Comments; or (b) in writing directed to the Chairman and distributed to the Planning and Zoning Commission.

Rule 2.5 Public Availability of Agenda. In addition to the requirements of the Texas Open Meetings Act, Section 551.001, *et seq.* of the Government Code, the Planning and Zoning Commission Agenda and supporting materials, excluding exempt materials, shall be made available to any member of the public who requests same. However, any member of the public requesting the Planning and Zoning Commission Agenda and supporting materials, excluding exempt materials, shall pay all costs associated with the reproduction of the Planning and Zoning Commission Agenda and/or supporting materials, excluding exempt materials, in accordance with the standards established by the General Services Commission. The Planning and Zoning Commission Agenda shall also be made available to the public on the City's internet website.

Rule 2.6 Description of Certain Agenda Items. For each Agenda item requiring consideration and/or action by the Planning and Zoning Commissioners, excluding items on the Executive Session Agenda, the Agenda shall (a) reflect a brief substantive description of the matter for consideration and/or action, (b) identify the staff resource

person(s) responsible for the item, and (c) if appropriate, provide a staff recommendation or proposal for action.

Chapter 3: Conduct of Meetings

Rule 3.1 Officers. The Officers of the Planning and Zoning Commission shall consist of a Chair, vice-chair, and secretary. The Officers of the Board shall be elected on an annual basis by majority vote of the Planning and Zoning Commission at the regular scheduled meeting in August. Terms of office shall be one (1) year. An officer may be reelected for an additional one year term but no individual shall serve for more than two (2) consecutive terms. All officers shall be subject to removal from office at any time by a vote of the majority of the entire Commission. A vacancy in the office of any officer shall be filled by a vote of a majority of the Commission.

Rule 3.2 Powers and Duties of the Chair. The Chair shall preside at all meetings of the Planning and Zoning Commission. He or she shall have the power to sign and execute all appropriate documents as the Chair of the Planning and Zoning Commission. He or she shall have general and active management of the business of the Commission and shall perform all the duties usually incident to the office of the Chair. If the Secretary is unable to attend any meeting, the Chairman or Vice Chairman may appoint an acting Secretary for purposes of such meeting.

Rule 3.3 Vice-Chair. The vice-chair shall have such powers and duties as may be prescribed by the Commission and shall exercise the powers of the Chair during that officer's absence or inability to act. Any action taken by the vice-chair in the performance of the duties of the chair shall be conclusive evidence of the absence or inability to act of the chair at the time such actions was taken.

Rule 3.4 Secretary. The secretary attest to the minutes of all meetings of the Planning and Zoning Commission and cause such minutes to be maintained in books provided for that purpose; shall provide all notices; may sign with the Chair, or vice-chair, in the name of the Commission, all appropriate documents; and shall in general perform all the duties incident to the office of secretary. Copies of the executed minutes of the Commission shall be filed with the city secretary of the City. Official Records of the Commission, including agenda and minutes of all Planning and Zoning Commission meetings shall be maintained and on file in the office of the Planning Director and/or his/her designee.

Rule 3.5 Rules of Procedure. The Planning and Zoning Commission shall determine its own rules of procedure, voting, and order of business except that, upon request of any member, the most current form of Roberts Rules of Order shall be followed for the designated item before the Board. A standard procedural format shown as Exhibit B is attached hereto and adopted by reference as part of these Rules and Procedures. (Resolution PZ-R-06-001 adopted 3/21/06)

Rule 3.6 Parliamentarian. The City Attorney or any Assistant City Attorney shall serve as parliamentarian for the Planning and Zoning Commission, who shall construe all applicable procedural rules liberally.

Rule 3.7 Applicant Discussions. Individual Members shall not meet with or discuss with any Applicant issues subject to the regulation or authority of the Planning and Zoning Commission except within the confines of properly posted and noticed meetings.

Rule 3.8 Applicant Presentation. With the exception of the Consent Agenda, Applicant, or his/her agent, shall make any presentation necessary for a public hearing or before consideration of a possible action item. Unless modified by the Planning and Zoning Commission, such presentation shall follow any presentation made by City staff.

Rules 3.9 Presentation by City Staff. With the exception of the Consent Agenda, City staff shall make any presentation necessary for a public hearing or before consideration of a possible action item.

Rule 3.10 Written Presentation by City Staff. For each request submitted to the Planning and Zoning Commission for consideration and action, the following material shall be provided to the Commission: applicant's documents, staff report, map and any written citizen communications received by staff.

Rule 3.11 Public Presentation. During any public hearing on any matter before the Planning and Zoning Commission, and after any presentation by the Applicant, or his/her agent, and City staff, any other member of the public who desires to address the Commission may do so, provided that (a) he/she limits such presentation to three (3) minutes, and (b) he/she fills out and presents a registration card for each Agenda item prior to addressing the Planning and Zoning Commission.

Rule 3.12 Citizen Communications. Any member of the public who desires to address the Planning and Zoning Commission during Citizen Communication may do so, provided that (a) he/she limits such presentation to three (3) minutes, and (b) he/she fills out and presents a registration card identifying the topic on which he/she desires to address the Planning and Zoning Commission.

Rule 3.13 Registration Card. The registration card referred to in Rules 3.11 and 3.12 shall include the following information: (a) full name; (b) business or residential address; (c) business or residential telephone number; (d) representation; (e) Agenda item or topic; and (f) brief statement of position [e.g. for or against an Agenda item or summary of communication].

Rule 3.14 Expansion of Time for Public Presentation and Citizen Communications. The Chairman may expand the time limit set forth in Rules 3.11 and 3.12 for up to an additional three (3) minutes if the presenter requests an extension unless a Commission member objects. In the event of a Commission member's objection to a request for extension, the Commission shall vote to approve or disapprove the request for extension.

Rule 3.15 Time Keeper. The City Attorney, any Assistant City Attorney, or the Board's Secretary shall serve as time keeper for any public presentation made to the Planning and Zoning Commission.

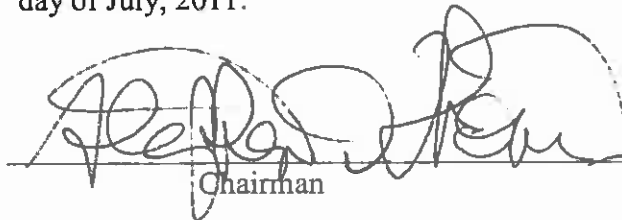
Rule 3.16 Repetitive Presentations. The Chairman may deny any presenter the opportunity to address the Commission if the presentation made or offered is repetitive of a presentation previously made.

Rule 3.17 Commission Vote. The Commission Secretary or his/her assignee shall maintain, and the minutes shall reflect, the votes made by the Planning and Zoning Commission in open meeting.

- (a) Consent Agenda. The Planning and Zoning Commission shall vote on the Consent Agenda by voice vote or by a show of hands as directed by the Chairman.
- (b) Separate Action Items. All votes shall be by show of hands, unless a motion for a division of the assembly is approved by the Planning and Zoning Commission. In the event of a division of the assembly, the Commission Secretary or his/her assignee shall poll the Planning and Zoning Commission as directed by the Chairman.
- (c) An affirmative vote of four (4) commissioners is required for a recommendation to City Council.

Rule 3.18 Executive Session; Certified Agenda. All executive sessions shall be recorded by certified agenda in conformity with Section 551.001, *et seq.* of the Government Code.

PASSED AND APPROVED this 19th day of July, 2011.



Chairman

ATTEST:



Secretary

Amended Rule 1.1 per Resolution R209-09-08-27-D6, on August 27, 2009.
Amended Rule 3.1 per Resolution R175-11-08-11-D4, on August 11, 2011

EXHIBIT A (P&Z Rules and Procedure)

State or National APA Conference, or other Planning and Zoning Commission approved planning conference: Every member should attend at least one (1) conference every two (2) years.

Legislative Update: Every member should attend one (1) special training meeting every two (2) years following completion of the Legislative Session for an update on planning, zoning, development, or other land use legislation passed.

Local training: Every member should attend one (1) local training conference or seminar every year.

**Rules and Procedures
Planning and Zoning Commission**

Exhibit B (P&Z Rules and Procedures)

Procedural Format

Citizens Communications

Citizens Communications are to provide an opportunity for any individual in attendance to speak on an item that is not on the posted agenda. (Since this is a “non-posted item” no discussion or dialog on the part of the Board may occur.)

Consent Agenda

Chair reads the following statement regarding the Consent Agenda.

“Items on the consent agenda are technical or procedural issues. All items posted on the consent agenda will be acted upon with a single motion, will include all staff recommendations and will not have any further discussion. If anyone wishes to discuss an item or have separate consideration of an item now posted on the consent agenda, they may ask that it be removed for individual action. The consent agenda this evening consists of _____ items, shown as agenda items _____ through _____. Is there anyone present who wishes to remove an item from the consent agenda for separate consideration?”

(If an item is to be removed, the requestor must state the item number and caption before it can be withdrawn from the consent agenda).

If not, Chair accepts motion to approve consent agenda, second, and calls for vote.

(Any item (s) removed from the Consent Agenda is/are to be called up immediately after approval of remaining consent agenda items and acted on individually and in order)

Public Hearing and Commission Recommendations

(Chair calls up each item as listed on the Agenda)

Standard Order of Business

- Chair recognizes Staff for opening presentation (5 minutes maximum)
- Applicant and/or designated agent may address the Commission (8 minutes maximum)
- Commissioners may ask question & request clarifying information from staff and/or applicant. This time is not deducted from the stated times above. Chair may extend staff's or applicant's time up to 3 additional minutes if there is no

objection from any Commission member. It takes a majority vote of the Commissioners present and voting to override an objection.

Chair closes the Regular Session and Opens the Public Hearing

- Chair Call speakers from sign up sheet or registration card (3 minutes per speaker) Chair shall limit speakers to those providing new information. Individuals with no new information shall be permitted to state their name and whether they are for or against the issue.
- Chair asks if anyone in the audience wishes to speak (3 minutes per speaker and must fill out a registration card.

(The Chair may extend the time limit for a speaker by an additional 3 minutes upon request and without objection of a Commission member. In the event of objection, the Commission, by majority vote of those present and voting, may extend the time up to a maximum of three minutes. A speaker may receive only one extension of time)

Chair closes the Public Hearing and reopens Regular Session

- Chair recognizes Applicant and/or agent for comments (3 minutes)
- Chair recognizes staff for closing comments (3 minutes)

Chair entertains a motion and second.

Commission members may engage in discussion related to the motion but may only ask for clarifying information from staff or applicant.

Chair calls for vote on the motion.

(Chair may call for a show of hands or roll call vote. A concurring vote of four (4) members of the Commission shall be necessary to submit a recommendation to City Council.)